

5.7.17.
Hi Ro Se Office U.S.D.C., E.D.N.Y., Cook.
I Christopher A. Henry, civil committed,
case 16 cv 5421 L.D.H., L.B.

Since a substantial part of the claims or events giving rise to the claims allegedly occurred in the Eastern District, the action should remain in that Court.

Wherefore Plaintiff request that the Court deny the District Attorneys of Kings County request to change of venue.

I declare under penalty of perjury that the foregoing is true and correct.
"In order for a Federal court to have jurisdiction over a habeas petition, the petitioner must be 'in custody pursuant to the judgment of a State court' at the time petition is filed." *Newarkowski v. New York*, 835 F.3d 210, 215 (2d Cir. 2016) (citing 28 U.S.C. § 2254(a); *Maleng v. Cook*, 490 U.S. 488, 490-91 (1989)).

That's exactly what happen to me in this case, I was in custody pursuant to a State Court judgment. The State Court made a judgment against me on 7.21.16. I filed the ~~petition~~ petition on 8.6.16.

The Attorney General of the State of New York told untruth in their answer dated 1.19.2017, that at the time I filed the 2254 and 2255 petitions I was a pre-trial detainee, that is untruth.

At the time I filed the petitions I was no longer under the Kings County indictment. I was in State Custody in a City facility.

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Wherefore Petitioner strongly demand that the Court vacate its 1.3.2017 order that the Kings County District Attorney's office ~~show cause~~ Order to show cause. The ~~K.C.D.A~~ K.C.D.A office is not the ~~appropriate~~ appropriate party to respond to the petitions.

You have City corrections and you have State corrections.

For example I'm in State Court. My constitution, Laws and Treaties of the United States were breached by Martin Murphy United States of America, and congress furthermore Plaintiff I again request that the 2254 petition and the 2255 petition be deperated.

And due to the fact that Plaintiff was no longer under the Kings County indictment at the time I filed both petitions the Attorney General of the State of New York should answer the petition. Thanks in advance. I exhaust my State Court remedies.

Yours.
C. ~~XXXXXXXXXX~~

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FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ MAY 11 2017 ★

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11201-183299

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